IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 247 of 2004 (M/B)

Shri Purna Giri Uchchatar Madhyamik Vidyalaya
Bhajanpur, Banbasa, District Champawat
Through its Manager Mr. Hari Dutt Bhatt

……. Petitioner

Versus

1. State of Uttaranchal through
   Secretary, Education, Civil Secretariat
   Uttaranchal, Dehradun.
2. Director of Education (Madhyamik)
   Uttaranchal, Dehradun.
3. Joint Director of Education
   Kumaon Division, Nainital.
4. District Inspector of Schools
   Champawat. ……. Respondents

Sri Rajendra Dobhal, Advocate for the petitioner.
Sri N.C.Gupta, Standing Counsel for the respondents.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. Rajendra Dobhal, Advocate for the petitioner.

Mr. N.C. Gupta, Standing Counsel for the respondents.

They are heard.

2. The petitioner has filed this writ petition for the following reliefs:

> "i issue a writ, order or direction in the nature of mandamus commanding the respondents to include the petitioner-institution in the list of grant- in-aid of State Government up to the standard of Intermediate in accordance with rules.
>
> ii) pass any other and further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.
>
> iii) Award the cost of writ petition to the petitioner."

3. The petitioner's grievance appears to be that, though the respondents gave recognition to the petitioner's college, but the

college has not been included in the list of those institutions to which the State is giving grant-in-aid.

4. In the counter affidavit filed on behalf of respondents 2, 3 and 4 following averments have been made in para 14:

> "14. That the contents of para 20 of the writ petition is replied by stating that vide letter No. 1497 – 1502 dated 25.09.1997, the Government gave recognition to the petitioner school without grant in aid and the matter is pending before the Government to give grant in aid status to the petitioner- school."

5. As the matter relating to the grant-in-aid to the petitioner's college is pending consideration before the Government for the last about two years, we deem it proper to direct respondent No. 1 to take a final decision in the matter of the grant-in-aid to the petitioner's college, within a period of three months from the date of production of a certified copy of this order.

6. With the above direction, the writ petition stands disposed of.

(Prafulla C. Pant, J.) 03.05.2006

(Rajeev Gupta, C.J.) 03.05.2006

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